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09/773,479	01/31/2001	Ray A. Walker	10001912-1	4143

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EXAMINER

DIVINE, LUCAS

ART UNIT PAPER NUMBER

2624

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/773,479	WALKER ET AL	
	Examiner	Art Unit	
	Lucas Divine	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-24 and 26-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-24 and 26-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/3/05 has been entered.

Response to Amendment

2. Claims 1-4, 6-24, and 26-40 are pending.

Response to Arguments

3. Applicant's arguments filed 11/5/2005 have been fully considered but they are not persuasive.

With respect to applicant's arguments that Yasuoka fails to teach the new limitation.

In reply, the second embodiment of Yasuoka transmits the site information from the consumable to device to configure it. As set forth in this new grounds of rejection, a device is not 'regionalized' until it is configured with its current region. The second embodiment teaches that the configuring is completed in the device (14) by region information transferred from the consumable (site information 'a'). Thus, the device is configured with whatever region it is currently in. While the reference code can (but doesn't have to be – see col. 10 lines 42-45) in

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the device, it can be considered to be non-regionalized because it does not know what region it is in, just what region it is supposed to be in. Thus, regionalization allows the device to know where it is located. Therefore, Yasuoka, in the second embodiment teaches:

c) transferring the region identification information from the consumable item information retaining mechanism to the memory associated with the device and storing the information therein (Fig. 3 step S8 details reading the consumable item's area code into the device for storage and future comparisons, further detailed in col. 6 lines 50-58 – also, the site region information 'a' is transmitted to the device from the consumable item [col. 9 lines 10-20 and shown in Fig. 4], reference code in S8); and

d) if the device is in a non-regionalized condition, configuring the device in a regionalized condition based on the transferred region identification information stored in the memory (the device does not have GPS, and thus does not know the region it is located in, thus 'non-regionalized' and it uses the site information 'a' from the consumable as the regionalization as configured by 14, and the area code is thus compared and used for executing the game program).

Thus, the rejection under 102(e) is maintained.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1 – 3, 12 – 14, 18 – 23, 32 – 34, and 38 – 40 are rejected under 35 U.S.C. 102(e) as being anticipated by Yasuoka (US 6035400).

Regarding claim 1, Yasuoka teaches a **method of regionalizing a manufactured device (11) and consumable items utilized by the device (24), the device having an associated memory (15 and 12) and the consumable items each having an information retaining mechanism (24a and any cache/buffer that would hold 'a' as data detected by 13a), the method comprising the steps of:**

a) for each consumable item distributed within a region, configuring the information retaining mechanism in a manner which uniquely identifies the region (area codes as shown in Fig. 4 corresponding to different regions, e.g. countries in col. 2 lines 3-4 – also position data 'a' from the GPS unit identify regions and reference code); then

b) installing in the device a consumable item having an information retaining mechanism configured for the region (col. 5 lines 35-36 wherein the consumable item is mounted on the device 11); and then

c) transferring the region identification information from the consumable item information retaining mechanism to the memory associated with the device and storing the information therein (Fig. 3 step S8 details reading the consumable item's area code into the device for storage and future comparisons, further detailed in col. 6 lines 50-58 – also, the site region information 'a' is transmitted to the device from the consumable item [col. 9 lines 10-20 and shown in Fig. 4], reference code in S8); and

d) if the device is in a non-regionalized condition, configuring the device in a regionalized condition based on the transferred region identification information stored in the memory (the device does not have GPS, and thus does not know the region it is located in, thus 'non-regionalized' and it uses the site information 'a' from the consumable as the regionalization as configured by 14, and the area code is thus compared and used for executing the game program).

Regarding claim 2, which depends from claim 1, Yasuoka further teaches that **the memory associated with the device is an electronic memory within the device**. RAM 15 and ROM 14 are electronic memories within the device 11.

Regarding claim 3, which depends from claim 2 as it depends from claim 1, Yasuoka further teaches that **the information retaining mechanism of each of the consumable items is an electronic memory** (col. 5 line 35, wherein cartridge 24 is an electronic memory device),

the step of configuring the information retaining mechanism in a manner which uniquely identifies the region comprises writing the region identification information to the electronic memory (Fig. 1, wherein the area codes A and B are written into the information retaining mechanism of the consumable and so is the site code after the device is configured),
and

the step of transferring region identification information from the consumable item to the electronic memory within the device comprises electronically reading the information from the electronic memory of the consumable item and electronically writing the information to the electronic memory within the device (Fig. 3 step S8 details reading the

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information from the consumable and writing it into the device for storage and future comparisons, further detailed in col. 6 lines 50-58 – also, site code is written to RAM 15).

Regarding claim 12, method steps a, b, c, and d are the same as those of rejected claim 1 and are discussed above.

Yasuoka further teaches **that for subsequent consumable item installed in the device** (Fig. 3 step S7, Fig. 3 is discussed in cols. 6 and 7 of Yasuoka),

e) testing the information retaining mechanism of the subsequently installed consumable item to determine the region identification information contained therein (Fig. 3 step S8, S11); then

f) comparing the region identification of the subsequently installed consumable with the region identification stored in memory (Fig. 3 step S9, S12), and then

g) if the region identifications do not match, declining the subsequently installed consumable (Fig. 3 step S10).

Regarding claim 13, which depends from claim 12, the method steps of claim 13 are the same as the method steps of claim 2 as it depends from claim 1. Claim 13 is therefore rejected for the reasons stated in the rejection of claim 2.

Regarding claim 14, which depends from claim 13 as it depends from 12, the method steps of claim 14 are the same as the method steps of claim 3 as it depends from claims 2 and 1. Claim 14 is therefore rejected for the reasons stated in the rejection of claim 3.

Regarding claim 18, which depends from claim 12, Yasuoka further teaches that **the device has an associated user interface allowing messages to be displayed to a user and also allowing responses to be input by the user**, in col. 5 lines 26-34, Yasuoka teaches the user

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interface consisting of speakers 23 and a CRT 22 output to the user while the user inputs information via the operation unit. This unit allows messages as well as other game information to be presented to the user, and

the step of declining the consumable comprises notifying the device user of an incompatibility and requiring a specific response to be input by the user. If a fault-processing step S10 occurs, the system would inherently output such information to the user which requires some user action.

Regarding claim 19, claim 19 recites the same method steps of claim 1 except the user interface of claim 18. Both claim 1 and claim 18 have been rejected above as taught by Yasuoka. Therefore, Yasuoka teaches all of the steps of method claim 19 and it is rejected for the reasons stated above in the rejections of claims 1 and 18.

Regarding claim 20, which depends from claim 19, Yasuoka further teaches that **the associated user interface for receiving user input and displaying output is operable to receive input and display out in a plurality of natural languages, and wherein the language used for input and output is selected based upon the region identification information stored in memory.** Yasuoka teaches in col. 1 lines 28-29 the practice of changing language information for devices and consumables based on regions and Fig. 3 steps S13, S13A, S13B and so forth show the ability to select consumable functionality (including language) based on region information.

Regarding claim 21, Yasuoka teaches all of the limitations of claim 21. All of the limitations of claim 21 are met in the rejection of claim 1 above except:

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a) providing for distribution within the region consumable items each having the information retaining mechanism configured in a manner which uniquely identifies the region;

Yasuoka further teaches distributing consumable items all over the world in col. 1 lines 32-34. This action reads on the method step above.

Regarding claim 22, which depends from claim 21, the method steps of claim 22 are the same as the method steps of claim 2 as it depends from claim 1. Claim 22 is therefore rejected for the reasons stated in the rejection of claim 2.

Regarding claim 23, which depends from claim 22 as it depends from 21, the method steps of claim 23 are the same as the method steps of claim 3 as it depends from claims 2 and 1. Claim 23 is therefore rejected for the reasons stated in the rejection of claim 3.

Regarding claim 32, claim 32 recites the same method steps of claim 12 except the distribution of claim 21. Both claim 12 and claim 21 have been rejected above as taught by Yasuoka. Therefore, Yasuoka teaches all of the steps of method claim 32 and it is rejected for the reasons stated above in the rejections of claims 12 and 21.

Regarding claim 33, which depends from claim 32, the method steps of claim 33 are the same as the method steps of claim 2 as it depends from claim 1. Claim 33 is therefore rejected for the reasons stated in the rejection of claim 2.

Regarding claim 34, which depends from claim 33 as it depends from 32, the method steps of claim 34 are the same as the method steps of claim 3 as it depends from claims 2 and 1. Claim 34 is therefore rejected for the reasons stated in the rejection of claim 3.

Regarding claim 38, which depends from claim 32, the method steps of claim 38 are the same as the method steps of claim 18 as it depends from claim 12. Claim 38 is therefore rejected for the reasons stated in the rejection of claim 18.

Regarding claim 39, claim 39 recites the same method steps of claim 19 except the distribution of claim 21. Both claim 19 and claim 21 have been rejected above as taught by Yasuoka. Therefore, Yasuoka teaches all of the steps of method claim 39 and it is rejected for the reasons stated above in the rejections of claims 19 and 21.

Regarding claim 40, which depends from claim 39, the method steps of claim 40 are the same as the method steps of claim 20 as it depends from claim 19. Claim 40 is therefore rejected for the reasons stated in the rejection of claim 20.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 7, 8, 27, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Purcell et al. (US 6227643) and Yasuoka hereafter referred to as Purcell and Yasuoka.

Regarding claim 7, which depends from claim 1, Yasuoka teaches all of the limitations of parent claim 1, including the utilization of regional security information in an intelligent information processing device and an associated consumable both including memories that communicate back and forth as discussed in the rejection of claim 1 above.

While Yasuoka teaches the intelligent information processing device utilizing consumables, Yasuoka does not teach that the intelligent device **that comprises a printer and consumable items that comprise printer consumables**.

Purcell teaches an intelligent **device that comprises a printer and consumable items that comprise printer consumables** (col. 1 lines 15-16). Both the device and the consumables of Purcell include memories (Fig. 2 ref. nos. 58 and 78 respectively) and they communicate status and other information back and forth.

Further, Yasuoka teaches applying this region security information to intelligent information processing devices with consumables that are sold in many regions.

Purcell teaches an intelligent information processing device with consumables that is part of an industry that sells devices and consumables in many regions, specifically the global printing industry.

It would have therefore been obvious to one of ordinary skill in the art to add the regional security information system of Yasuoka in the intelligent information processing system of Purcell in order to:

prevent third parties from unduly making large profits by buying the consumable in a region where the market keeps price levels low and selling the consumable in a region where price levels are high as taught by Yasuoka in col. 1 lines 29-45;

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deter theft of consumables and/or devices by using the regional security information to make decisions as to if the device will work with the device as taught in step S9 of Yasuoka;

provide a system where a device can provide language information (see Yasuoka col. 1 line 20) based on the regional information, thus making it easier for companies to make and distribute the devices and consumables worldwide because they could have made devices with all of the language information already programmed at one plant and have the devices and consumables work together in determining language information instead of specifically programming a certain group of devices for a certain area necessitating running many plants;

provide a system where features of a device can change according to region. If a company wants a device to have certain features in one area, but not in another, the regional security information could have communicated this to the device. This allows the company to charge a higher price for the same device in certain areas (claiming it has more features). Other features that might need to change according to region are electrical features such as operating frequency (see Yasuoka col. 1 line 24), voltage, or current;

block the use of devices and consumables in areas where a company has not yet shipped/released the product to; and

prohibit the use of devices and consumables where the local laws apply in some way regulating the device or consumable distribution or use. Examples include environmental regulations (electrical specifications or ink cartridges with recyclable plastics or environmentally friendly ink) and content regulations ('M' rated video games).

Regarding claim 8, which depends from claim 7 as it depends from claim 1, Purcell further teaches that **the printer is an ink jet printer and the printer consumables are ink jet**

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cartridges. Col. 1 line 15 teaches an ink jet printer and col. 2 line 33 teaches ink jet cartridges associated with the ink jet printer.

Regarding claim 27, which depends from claim 21, the method steps of claim 27 are the same as the method steps of claim 7 as it depends from claim 1. Claim 27 is therefore rejected for the reasons stated in the rejection of claim 7.

Regarding claim 28, which depends from claim 27 as it depends from 21, the method steps of claim 28 are the same as the method steps of claim 8 as it depends from claims 7 and 1. Claim 28 is therefore rejected for the reasons stated in the rejection of claim 8.

3. Claims 4, 6, 9 – 11, 15 – 17, 24, 26, 29 – 31, and 35 – 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Purcell, Schantz (US 5589859), and Yasuoka.

Regarding claim 4, which depends from claim 3 as it depends from claims 2 and 1, Purcell teaches a device with memory associated with a consumable item with an electronic memory as well (Fig. 2). The consumable is installed in the device and information is transferred between on communication line 82 between memory element 78 on the consumable 74 and processor 52 on the device. Purcell also teaches the use of wireless links between the device and a memory element 80 inside media roll 81.

While Purcell teaches that the connection 82 *may take a variety of forms* (col. 5 lines 40-41), Purcell does not specifically teach that **transfers over connection 82 between the consumable memory 78 and the processor 52 are wireless with each side having a wireless link or the use of regional information.**

Schantz teaches specifically that **transfers between a consumable item 50 and a processor 64 inside a device that the consumable is mounted are wireless with each side having a wireless link** (col. 4 lines 36-38).

Purcell and Schantz are combinable because they both teach printing devices with removable consumables and the information transfers between the printing device and the consumable.

It would have been obvious to one of ordinary skill in the art to include the wireless transmission of Schantz into the device and consumable system of Purcell. The motivation for doing so would have been to make the device system of Purcell less complicated by eliminating altogether the wires between the consumable and the device.

While the combination of Purcell and Schantz teach devices and the consumables including memories that communicate status and other information back and forth, it does not teach configuring the device and consumable with **region information**.

Yasuoka teaches all of the limitations of parent claims 3, 2, and 1, including the utilization of **region information** in an intelligent information processing device and an associated consumable both including memories that communicate back and forth as discussed in the rejection of claims 3, 2, and 1 above.

It would have been obvious to one of ordinary skill in the art to add the regional security identification system of Yasuoka to the printing system of Purcell and Schantz. The motivations for doing so discussed above in the rejection of claim 7.

Regarding claim 6, which depends from claim 3 as it depends from claims 2 and 1, as discussed in the rejection of claim 4 above, Purcell teaches the use of **reading from the memory**

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78 of a consumable via connection 82 and Schantz teaches **making the connection wireless** (col. 4 lines 36-28).

Regarding claim 9, claim 9 teaches all of the limitations of claim 1 except for the limitation listed below. The limitations that are the same as claim 1 are rejected for the same reasons as stated in the rejection of claim 1 above. The added limitation is **the device having an associated memory and an associated wireless communications link in data communication with the associated memory, and the consumable items each having an electronic memory component and a wireless communications link in data communication with the electronic memory component**. This limitation is the same as the added limitation of claim 4 and arguments analogous to those discussed in the rejection of method claim 4 are applicable to method claim 9.

Regarding claim 10, which depends from claim 9, Purcell teaches a **device that comprises a printer and consumable items that comprise printer consumables** (col. 1 lines 15-16).

Regarding claim 11, which depends from claim 10 as it depends from claim 9, Purcell further teaches that **the printer is an ink jet printer and the printer consumables are ink jet cartridges**. Col. 1 line 15 teaches an ink jet printer and col. 2 line 33 teaches ink jet cartridges associated with the ink jet printer.

Regarding claim 15, which depends from claim 14 as it depends from claims 13 and 12, the method steps of claim 15 are the same as the method steps of claim 4 as it depends from

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claims 3, 2, and 1. Claim 15 is therefore rejected for the reasons stated in the rejection of claim 4.

Regarding claim 16, which depends from claim 12, Yasuoka teaches all of the method steps of claim 16 which are the same as those in method claim 3 as it depends from claims 2 and 1. Thus, claim 16 is rejected for the same reasons as stated in the rejection of method claim 3.

Regarding claim 17, which depends from claim 16 as it depends from claim 12, the method steps of claim 17 are the same as the method steps of claim 4 as it depends from claims 3, 2, and 1. Claim 17 is therefore rejected for the reasons stated in the rejection of claim 4.

Regarding claim 24, which depends from claim 23 as it depends from claims 22 and 21, the method steps of claim 24 are the same as the method steps of claim 4 as it depends from claims 3, 2, and 1. Claim 24 is therefore rejected for the reasons stated in the rejection of claim 4.

Regarding claim 26, which depends from claim 23 as it depends from claims 22 and 21, the method steps of claim 26 are the same as the method steps of claim 6 as it depends from claims 3, 2, and 1. Claim 24 is therefore rejected for the reasons stated in the rejection of claim 6.

Regarding claim 29, the method steps of claims 9 and 21 teach the same steps as those taught in method claim 29. Claim 29 is therefore rejected for the reasons stated in the rejections above of claims 9 and 21.

Regarding claim 30, which depends from claim 29, the method steps of claim 30 are the same as the method steps of claim 10 as it depends from claim 9. Claim 24 is therefore rejected for the reasons stated in the rejection of claim 10.

Regarding claim 31, which depends from claim 30 as it depends from claim 10, the method steps of claim 31 are the same as the method steps of claim 11 as it depends from claims 10 and 9. Claim 31 is therefore rejected for the reasons stated in the rejection of claim 11.

Regarding claim 35, which depends from claim 34 as it depends from claims 33 and 32, the method steps of claim 35 are the same as the method steps of claim 4 as it depends from claims 3, 2, and 1. Claim 35 is therefore rejected for the reasons stated in the rejection of claim 4.

Regarding claim 36, which depends from claim 32, Yasuoka teaches all of the method steps of claim 36 which are the same as those in method claim 3 as it depends from claims 2 and 1. Thus, claim 36 is rejected for the same reasons as stated in the rejection of method claim 3.

Regarding claim 37, which depends from claim 36 as it depends from claim 32, the method steps of claim 37 are the same as the method steps of claim 4 as it depends from claims 3, 2, and 1. Claim 37 is therefore rejected for the reasons stated in the rejection of claim 4.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lucas Divine whose telephone number is 571-272-7432. The examiner can normally be reached on Monday - Friday, 7:30am - 5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


KING Y. POON
PRIMARY EXAMINER

Lucas Divine
Examiner
Art Unit 2624

ljd